Revenue (1923) Department

SERIES.

G.O. No. 255 Rls.

DATED 5th February 1923.

[Despatch Abstract.]

Trees (South Kanara) Karkal Taluk — Free grant of timber trees — Foot bridges — Karkal Taluk Board Declined.

BACK PAPERS

G.O.	No	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department	Date.	G.O.	No	Department.	Date.

C.F. 29--24,251--4-4-21.

DEPARTMENT.

REVENUE E

256

2730 4-22

Received ..... 192 *Registered* 192

Subject.

Free grant of timber trees on Kumkis or Goverhment unreserves to Taluk Board or villagers for the construction and repair of foot-bridges.

ENCLOSURES.
No.....
.....
Spare copies.....

Ref. C. No. 629. K.T.B. 22.

Station KARKAL., *Dated the* 23-9-1922 192?

From (Name) M.R.RY K. Sadasiva Bhat Avl B.A.B.L.M.L.C.

(Designation) President, Karkal Taluk Board.

Karkal.S.Kanara.

To The Secretary to the Government of Madras,

REVENUE Department.

Sir,

I have the honour to approach Government on the subject of the free grant of timber trees on Kumkis or Government unreserves to the Taluk Board or villagers required for the construction and repair of foot-bridges in my Taluk Board area.

2. The L.F.Taluk of Karkal, as I have already stated to Government while transmitting the Budget Estimates of the Taluk Board, is an interior and sub-ghaut Taluk containing as it does of numerous torrents which swell with floods and become unfordable in the monsoon. Communication is virtually

out off for more than three months every year and the public experience serious difficulties on this account. Ferries are not possible. The lack of foot-bridges is a serious impediment to school children attending schools. Several accidental deaths take place in the villages owing to lack of foot-bridges. Thefts and breaches of the peace are not uncommon in villages in the monsoon and the Police officers have often complained to me of the difficulty of reaching the villages to hold the necessary investigations..Touring officers find it extremely difficult to tour in village parts and processes from civil and criminal courts are often returned unserved on this account.It is therefore of the utmost importance to the administration and the public in the interior Talukss of this district that communication should be maintained during the monsoon. Though the construction of foot-bridges is the function of the Taluk Board,the Board is handicapped in this direction owing to financial stringency. The only alternative for the Taluk Board is to rely upon the Revenue Department for necessary cooperation and help by way of grant of trees from Government Non-Kumki lands in the several villages for the purpose of foot-bridges. The villagers are willing to cooperate and even this year I have been able to secure free and willing cooperation of the villagers in putting up several foot bridges. If the Revenue Department does not assist the Taluk Board in the matter,it will damp the eagerness of the villagers and seriously retard progress in this improvement of communications necessary in the interest of administration and the public. The Government unreserves have been from time immemorial open for communal purposes and in Kumkis the Wargdars are permitted to utilize timber without payment of seigniorage. These free grants were being made and the Revenue Department has been attending to the putting up of foot-bridges till recently. I find however that free ~~grants of~~ grant of timber from Government lands are now being refused on the authority of Board Proceedings No.105.Forest.dated 28-11-1917:but I may point out that strict enforcement of this Board's Proceeding might operate as a hardship in the case of Taluk Boards with our monsoon conditions and with our limited resources. Our rainfall

Board are the least of all the Taluk Boards in this district. Applications made to Government in the past three years for allotments from Provincial subsidies for foot-bridges do not appear to have been responded to favourably probably for want of funds. Petitions from all quarters are pouring in urging the need of foot-bridges across crossings in several villages. If the Revenue Department cease to regard foot bridges as their concern and the facilities are not afforded to the Taluk Board to put them up as suggested above, the villagers are likely to see very little of the benefits of Taluk Board administration. In the circumstances, I request that the Government may be kindly pleased to ammend the B.P. so as to permit the Revenue Department to make grants of trees from Kumkis or Unreserves to such of the poor Taluk Boards in this Monsoon district as make bonafide applications for trees for footbridges reported by the Taluk Board as necessary. I need hardly invite the attention of the Government to the growing however wrong feeling among the ryots that the Government has transferred all the beneficient activities of administration to non-official local bodies; that these local bodies are being half starved and required to levy petty additional taxes to keep them going, and that Government is withdrawing even what assistance it can render without detriment to itself to improve the lot of poor villagers. I submit that it is necessary to remove this feeling. If the Revenue Department will assist the villagers in this direction I expect I shall be able to put up a number of footbridges and provide for all important crossings at comparatively trifling cost to public funds.

I have the honour to be,

Sir,

Your most obedient servant.

K. Sarvarayudu

President.

Scott. II-8 (e)—18,003—2-2-22.

	Initials.	Date.
Received in Fair-copying Section.		
Copied ..		
Examined ..		
Signed ..		
Despatched ..		

Trees (S. Kanara) - ~~Disobey~~ Instr. on reserves - Tree growth - ~~Instructions~~ Repair and construction of fresh bridges - Letter from the President, Karkal Taluka Board. Ref. C.No. 629 KT. B. 22d. 23-9-22

Instr. No. 28685/22-D. 10-10-22

Referred to the Board of Rev. for remarks. The Board is requested to forward its reply with the utmost

15.12.22.

DES. 12 OCT 1922

To B of R (Sel. with Taluk Bd's letter in original to be returned)

DRD 7.10.22

G.O.—80

Revenue **DEPARTMENT.** 3263

UNDER SECY. TO GOVT. 2-NOV.1922 REVENUE DEPT.

CURRENT No.

Received ..... 19 *Registered* 3 - 11 - 1922

Subject.

Trees (South Kanara) Karkal Taluk - Free grant of timber - Foot bridges - Board's remarks offered.

ENCLOSURES.
No.
Spare copies

Resolution No. 3138 Routine

Station Madras, *Dated the* 26th October 1922.

From S.Wadsworth Esquire, I.C.S.,
Secretary,
Land Revenue. and
The Board of Revenue, ~~Revenue~~ Settlement, ~~etc.~~
~~Separate Revenue~~.

M.E.Couchman Esquire, I.C.S., Commissioner of Land Revenue.

Resolution Reference. Read endorsement from Government, Revenue Department, No.2868 E/22-1, dated 10-10-1922 on ~~Xxxxx~~ letter from M.R.Ry.K.Sadasiva Bhat Avl., B.A., B.L M.L.C., President, Karkal Taluk Board, Karkal, South Kanara, Ref.C.No.629 K.T.B. 22, dated 23rd September 1922.

Resolution

The Board regrets it is unable to accept the suggestion of the President Taluk Board, Karkal, that free grants of timber trees on Kumaki and Government unreserves should be made for putting up foot bridges.

The main objection to the proposal is the difficulty of preventing illicit removal of timber on the pretext of building bridges. The seigniorage rates are low enough and the influential men all have Kumaki lands from which they could supply trees that do not come under the class

reserved' but are good enough for bridges.

(True Extract)

for Secretary. Mangiwany - 11.12

To the Secretary to Government, Revenue Departmen

with a letter in original returned.

M.P. 30/10

31.10

C.F. 99—5,000—7-7-20.

Rev 190 E
Regd. 17-1-23

Rejd 28.1.23

DEPARTMENT.

Received 22 JAN 1923 192 Registered 12-1- 192 3

Dev No 191 I
22.1.23

22 JAN 1923

Subject.

Foot-bridges.

Soliciting orders of Government on the application ~~made~~ for free grants of timber for the putting up of ----- in villages made in this office Ref.c. No: 629/K.T.B./23.9.1922.

Do W.S
The file was sent to Dev. on 18.12.22 with Rev. Dept. No. 2868 E/22-3. Shah Deptt. may be requested to expedite the matter.
DRO
18.1.

Rev 2868/22-3
Ref. C. No. 629/K.T.B/22
Dev No 191/23

Enclosures.
No.
Spare copies

Station Karkal., Dated the 8th January 1923.

From (Name) M.R.Ry K. Sadasiva Bhat, Avl., B.A.BL & M.L.C.,
(Designation) President, Karkal Taluk Board.

To The Secretary to the Government of Madras,
Revenue Department.
Madras.

Sir,

I have the honour to invite the kind attention of the Government to my letter Ref.c No:629/K.T.B./22 dated 23.9.22 and to solicit early orders of Government thereon, as I have received several applications for footbridges and they have been kept pending by my Taluk Board awaiting orders from Government on the reference in question.

I have the honour to be,
Sir,
Your most obedient servant,

For President.

C no 2868/22-3
Rev dept
Dev dept No.

To hs.

Dev: Dept

The main file to write Secretary. This was returned to Rev dept with a note this morning

24-1-23

25/1/23

Dev: WO 191-I/23-1

8

Revenue Deptt

Subject - Foreground of timber trees.

C.No. 2868E. from the President, Taluk Board Karkal, S.Kanara Lr. No. 629 KT.Bd. 22 23.9.22
Encl. to B.T.& R. Deptt. No. 2868E/22-10.10.22
C.No. 3263E. from do. Lr. 3138 d 21.10.22

To Under Secy-

A draft order is subd. It may be sent to L.S.G. for acceptance.

D.RD
11.11.22

Ke
13/11/22

I do not know anything about Taluk Kanara but if this were on the Ghat I do not see why Govt should object to make specific grants for specific works - This seems to be the intention of the rule of sub 390 of the Fin. Manual

The Collector from whom this rule is derived but the purpose of the Govt land boundary trees under works of public utility - & Deptmts which I presume include local Boards.

If Govt agree [illegible] the Collector

[illegible] is invited to deal with
Specific reports accordingly under the
rules to be laid before any one minister

[illegible]

Ber

16/11/22.

Rev. U.O. 2868E/22
16.11.22

[illegible]
16.11.22

SECRETARY TO GOVERNMENT DEVELOPMENT DEPARTMENT UNDER SECRETARY
17 NOV 1922

Devl. Dept

D 2494 D

17.11.22

To Under Secy.

Please see the rules regarding free grants of forest produce at page 390 of the Forest Manual – With regard to Reserved forests and reserved lands, the rule is that no free grant is ordinarily admissible to another Dept unless the Forest Dept is will benefit thereby. The question raised by the Rev Secy relates to the timber in unreserves though the rules on page 390 of the Forest manual govern the Grant of timbers in unreserves, also, the Forest Dept has nothing to do with it – The matter is one entirely for Revs to be disposed of as they please.

this view is not correct; the condition of being useful to Forest Dept is applicable to all free grants. There were two orders recently issued in connection with the grant of timber for constructing huts for Shot-Tolagers. Put them up soon

Wy
30/11/22

To Under Secy.

The G.O.s suggested to by the Under Secy are put up below—

(A) Vide G.O. no 1808 dy 26-9-21 and

(B) G.O. no 2203 dy 28-11-21

Mr. 1-12-22.

SRR 1-12-22

A perusal of art 103 of the Forest Dept code is solicited in this connection. In all cases in which the Forest Dept does not demand any benefit, free grants of timber cannot be made. The chief secy's note

(A) at p 6 of G.O. no 1808 dy 26.9.21 and the Hon'ble Sir L. Davidson's

(B) note at p 5 of G.O. no 2203 dy 28.11.21 seem to indicate that for all other purposes no free grants of forest-materials need be made. Thus in the present case, the Salem Board which wants to put up a bridge should pay for the timber needed, to the Forest Dept; there does not seem to be any reason for a free grant.

5/KMR 2.12.22

I agree

I am circulating to Sir J. Davidson
memo explaining proposed Scheme
& draft Heads of Bill authorising
free grants. Sir James Davidson
thinks there is considerable
feeling for giving free burials for
local bodies

J
2.12.22

C 4

Box. No. 20 11
Circulated: 3.12.22
Returned: 4.12.22

I agree -
I doubt if Secr. Dept will agree
circulating memo as seems both
a Rev. Dept file. I am prepared to
accept new draft

In draft no
more
circulation for
SJ
5/12

I agree. & shd not mind if memo
Rev. file

J
4.12.22

Dft/4/12
Desc: wo 2494 - I/21
4 — 12 — 22.

UNDER SECY. TO STATE
5 DEC 1922
REVENUE DEPT.

REVENUE - E
3719
Rec'd 5-12-22

Revenue Dept

To Under Secy
Submitted -
JRS
7.12.22

Hw
8/12/22

S

Forth Memorial Fund.

12

Revenue Department.

I do not know anything about South Kanara but if this were another District I do not see why Govt. should object to make specific grants for specific works This seems to be the intention of the rules at page 390 of the Forest Manual.

2. The Collectors' power under those rules is limited but the purposes of the grant laid down by the rules include works of public utility and Depts. of the Govt. which I presume includes Local Boards.

3. If Development agree to this view the Collectors might be instructed to deal with specific requests accordingly under the rule and to refer to Govt. any case in excess of his powers.

E.W.L
16-11-1922.

Development does not seem to have understood the Revenue note.

2. The proposal is not to grant anything from 'Forests' in the technical sense, but to agree to collectors using the powers granted by rules under section 26 in case of unreserves in the way suggested. Rule 7 -A (6) at page 39 of Forest Manual specifically provides for grants to temples from Kumaki lands.

3. Page 390 provides for grants to public bodies from unreserved lands.

Does Development contend that these provis are not intended for use.

E.W.L
20-12-1922.

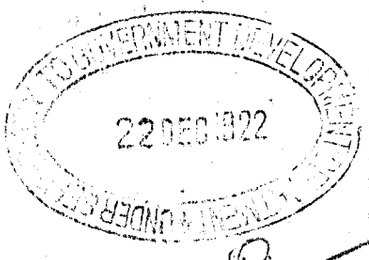
13

does not seem to have understood
the Rev. Sec.

2 The proposal is not to grant anything from "funds" in the technical sense but to give
to Collectors the powers granted by
Rules under section 76 in case of Unreserved
in the way suggested. Rule 7 A 6
at pg 39 Forest Manual specifically
provides for grants to temples from Kumaki
land.

3 ~~It~~ Para 3 of Rev. Sec. proposes that grants to public
bodies from unreserved lands
does not entail any encroachment
on vested rights.

RH
20/12/22



Rev. Sec. 2868 E/22-3
20.12.22

(Development) Sec

with General Manual

02806 I

22.12.22

Dev Dept.

FO Rs

Para 2 of Rev Sec's note

There seems to be no objection
to the Collectors using the powers
granted by rule 2nd Section 76 of the Forest
Act — vide rules at pp 36-40 of the Forest
Manual. Rule 7 A (6) at p 39 of the
Manual provides for grants to temples
because such privilege was already
enjoyed by the Kumadicars. It does

6 [illegible]

not appear that the request of the Dist Taluk Board can be granted under this rule

Para 3 of Rev Secy's note

There seems to be no objection to the Collector exercising the powers granted under item (1) of the rules at p 390, if it is considered that the work is one of "public utility".

SRR 9-1-25

Please see the Rev Secy's note at p 5 ante.

Para 2 of Rev Secy's note:- Rule 7 A (b) at p 39 of Forest manual empowers the collr to make free grants of timber &c on Kumaki lands in S. Kanara &c to temples for building purposes

Para 2 of Rev Secy's note:- Rules on p 390 of the Forest Manual prescribe some limits within which collrs can ~~grant~~ make free grants of timber &c to public bodies, subject to the proviso "that no free grant is ordinarily ad- "missible to another dept of Govt unless "the Forest dept will benefit thereby".

Now the question in the present file is to seek a general ruling that free grants of timber should be made to Taluk

The first of the rulings quoted by the Rev Secy is not obviously applicable to the present case as it specifically mentions only temples. The second has applicability. Since a Taluk Board is a "Public body" but not a "dept of govt"; the condition laid down in this ruling is applicable only to free grants to "other depts of govt" but not to "public bodies".

The opinion expressed by the Govt dept on p 4 ante is not meant to restrict the powers of collrs vested in them by the rulings quoted, but it indicates the general policy to be adopted in dealing with applications from Taluk Boards for such free grants. It is expressly meant to be a reply to the attempt made to obtain a general ruling that such grants to Taluk Boards should be complied with as a matter of course.

Type the Rev. Govt's Note. S/ [illegible] 13.1.23

15/1

To Under Sec

The Rev Secy's notes have been typed and submitted below.

16-1-23. S/ [illegible] 17.1.23

16 8

Will the Revenue Secretary kindly refer again to the rules printed at page 390 of the Forest Manual? I feel almost sure that taluk or other local boards are not a department of Government for the purpose of these rules but as item (2) includes public bodies the point does not arise. They are certainly public bodies.

2. But the words to be emphasised are "subject to the principle that no free grant admissible to another department of Government unless the Forest Dept. will benefit thereby" it is true that this limitation is not insisted on in grants to public bodies, but I presume the Board would naturally apply the principle in making grants to public bodies. This means I presume that the Forest Dept. would be credited with the value of the wood extracted.

3. It should be noted also that the Collector has no power to make grants to public bodies but only to village communities. The Board has to sanction the grant to public bodies in each case

4. I cannot myself see why a local body should not pay to the Forest Dept. the market value of its wood like anybody else. I have no knowledge of the peculiar circumstances of the S.Kanara district but differ from the Revenue Secy: in thinking that a free grant would be desirable in the districts ~~in~~ within which I have personal acquaintance.

5. I suggest that no Govt. order in this case is required except to refer the taluk board to the Board of Revenue which has power to deal with the matter. If this view is not accepted will Revenue please circulate the file to C-4 who may desire the advice of the C.C. on the ~~point~~ question raised. I have not thought it worthwhile to refer to the C.C. myself as the rules seem to me quite clear and I presume that no alteration of the rule is intended.

25.1.23.

Rev: u.o.

SECRETARIAT TO GOVT. 25 JAN 1923 REVENUE DEPT.

Verified & found correct

Dev: w 02806 I/22-1

25—1—23.

Revenue Depth.

To Under Secy.

With reference to Development Secy's note, para-3, at p.8 ante, attention is solicited to para-1 of the Taluk Board President's letter at p.1 c/f. in which he requests that free grant of timber may be made either to the Taluk Board or to the villagers. Collrs are empowered to issue free grants to village communities in exceptional cases — p.390 of the Forest Manual. The necessity for foot bridges in this Taluk Board area being a special one, the case may be treated as an exceptional one and the Collr. may be asked to give free grants to village communities under the rules.

D.R.D
3.2.23.

D.F. Doubtful if the case can be treated as special. The necessity for foot bridges seems to exist throughout the taluks of the President reports that several applns have been recd. There appears to be no exceptional circumstances such as would justify the Collr making free grants but the Board's powers are not subject to any such restriction, the only restriction on it being a money limit of Rs 2000. The Board is however opposed to free grants as such grants would in the opinion of the Board affect felling & the sawing rights are also lost. Rec. also is opposed to free grants. In this circumstances it is for consideration whether Rec need press

07.07

[illegible]

18

Mr Cochran who knows South
Korean Affairs thinks that
Rhee may agree with Dulles

8/4/25

Scott. II-1c (a)—48,962—2-2-22. (6)

Revenue DEPARTMENT

	Date.	Initials.
When received for Fair-copying.		
When copied ..		
When examined ..		
When signed ..		
When despatched ..		

READ AGAIN G.O. No. ....., dated 192

" " " " ....., " 192

READ ALSO;—

C. No. 2868 From the President Kakal Taluk Board Rep No. 629 K.T.B.22 dated 23.9.1922.

" " Encl to B of L.R. Sett.. " 2868/22.1 " 10.10. 1922.

" " 3263 " " Board L.R. Sett. " 3138 Rk " 26.10. 1922

ORDER.

No 255, dated 9.2.1923.

8.2.23

Mis.

For the reasons stated by the Board of Rev. in its proceeding read above, the Govt. are unable to accept the suggestion of the President, Taluk Board Karkal, S. Kanara & that free grants of timber trees on Kumaki and Govt. unreserve should be made for footbridge

Recd DESPATCHED 14 FEB 1923

To the President Karkal Taluk Board
Thro' L.S.G. with copy of B.P. JRD 11.11.22
.. .. L.S.G. do
.. .. Collr. S. Kanara do
.. .. Bd of L.R. Sett.

18/1/23

8/2/23